

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>LEONARD PEÑA (State Bar No. 192898) lpena@penalaw.com PEÑA & SOMA, APC 402 South Marengo Ave., Suite B Pasadena, California 91101 Telephone (626) 396-4000 Facsimile (626) 498-8875</p> <p><input type="checkbox"/> Individual appearing without attorney</p> <p><input checked="" type="checkbox"/> Attorney for: Plaintiff</p>	<p>FOR COURT USE ONLY</p>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION</p>	
<p>In re: PE 4 URBAN COMMONS, LLC Pe Te Fa</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 2: 21-bk-13523 ER ADVERSARY NO.: 2:23-ap-01254-ER CHAPTER: 7</p>
<p>CAROLYN A. DYE, Chapter 7 Trustee</p> <p style="text-align: right;">Plaintiff(s).</p> <p style="text-align: center;">vs.</p> <p>JOSEPH FAN,</p> <p style="text-align: right;">Defendant(s).</p>	<p style="text-align: center;">JOINT STATUS REPORT [LBR 7016-1(a)(2)]</p> <p>DATE: August 22, 2023 TIME: 10:00 a.m. COURTROOM: 1568 ADDRESS: 255 E. Temple Street, Los Angeles, CA 90012</p>

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

The parties submit the following JOINT STATUS REPORT in accordance with LBR 7016-1(a)(2):

A. PLEADINGS/SERVICE:

1. Have all parties been served with the complaint/counterclaim/cross-claim, etc. ☒ Yes ☐ No (Claims Documents)?
2. Have all parties filed and served answers to the Claims Documents? ☐ Yes ☒ No
3. Have all motions addressed to the Claims Documents been resolved? ☐ Yes ☒ No
4. Have counsel met and conferred in compliance with LBR 7026-1? ☒ Yes ☐ No
5. If your answer to any of the four preceding questions is anything other than an unqualified "YES," please explain below (*or on attached page*):

The parties stipulated that the Defendant's responsive pleading is due on or before August 25, 2023

B. READINESS FOR TRIAL:

1. When will you be ready for trial in this case?

Plaintiff
August 2024

Defendant
August 2024

2. If your answer to the above is more than 4 months after the summons issued in this case, give reasons for further delay.

Plaintiff

Defendant

The Plaintiff is prosecuting approximately 118 related adversary cases and the Plaintiff anticipates having most of them resolved through settlement, dismissal or other dispositive motions and then only those matters that cannot be settled will remain.

3. When do you expect to complete your discovery efforts?

Plaintiff

Defendant

1/31/2024

4/30/2024

B.

4. What additional discovery do you require to prepare for trial?

Plaintiff

Defendant

Interrogatories, requests for admissions, depositions, Requests for documents and third party subpoenas

Written discovery, depositions, subpoena's as allegations involve multiple entities and individuals.

C. TRIAL TIME:

1. What is your estimate of the time required to present your side of the case at trial (*including rebuttal stage if applicable*)?

Plaintiff

Defendant

1 Day

2 days

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2. How many witnesses do you intend to call at trial (including opposing parties)?

Plaintiff

Defendant

2-3

4-5

3. How many exhibits do you anticipate using at trial?

Plaintiff

Defendant

Unknown at this time

Too early to estimate prior to the conclusion of discovery

D. PRETRIAL CONFERENCE:

A pretrial conference is usually conducted between a week to a month before trial, at which time a pretrial order will be signed by the court. [See LBR 7016-1.] If you believe that a pre-trial conference is not necessary or appropriate in this case, please so note below, stating your reasons:

Plaintiff

Defendant

Pretrial conference ☒ is ☐ is not requested
Reasons:

Pretrial conference ☒ is ☐ is not requested
Reasons:

Plaintiff

Defendant

Pretrial conference should be set after:

Pretrial conference should be set after:

(date) July 2024

(date) July, 2024

E. SETTLEMENT:

1. What is the status of settlement efforts?

Parties discussed general settlement issues as part of Meet & Confer.

2. Has this dispute been formally mediated? ☐ Yes ☒ No
If so, when?

3. Do you want this matter sent to mediation at this time?

Plaintiff

Defendant

☐ Yes ☒ No

☐ Yes ☒ No

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F. FINAL JUDGMENT/ORDER:

Any party who contests the bankruptcy court's authority to enter a final judgment and/or order in this adversary proceeding must raise its objection below. Failure to select either box below may be deemed consent.

Plaintiff

Defendant

☒ I do consent

☐ I do consent

☐ I do not consent

☒ I do not consent

to the bankruptcy court's entry of a final judgment
and/or order in this adversary proceeding.

to the bankruptcy court's entry of a final judgment
and/or order in this adversary proceeding.

G. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL: (Use additional page if necessary)

Respectfully submitted,

Date: **8/9/23**

Date: August 8, 2023

PEÑA & SOMA, APC

Printed name of law firm

PACHULSKI STANG ZIEHL & JONES LLP

Printed name of law firm

Signature

Signature

LEONARD PEÑA

Printed name

JEFFREY P. NOLAN

Printed name

Attorney for: Plaintiff

Attorney for: Defendant

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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
402 South Marengo Ave., Suite B, Pasadena, California 91101

A true and correct copy of the foregoing document entitled: **JOINT STATUS REPORT [LBR 7016-1(a)(2)]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 8/9/23, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Leonard Peña Ipena@penalaw.com for Plaintiff Carolyn A. Dye

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 8/9/23, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Hon. Ernest M. Robles
United States Bankruptcy Court
255 E. Temple Street, Suite 1560
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

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	<u>NOEMI SANDOVAL</u>	<u>/S/ NOEMI SANDOVAL</u>
<i>Date</i>	<i>Printed Name</i>	<i>Signature</i>

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